

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

ALLIE THOMAS CHESTER,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-22-477-G
)	
THE CITY OF ALTUS et al.,)	
)	
Defendants.)	

ORDER

Plaintiff Allie Thomas Chester, a state prisoner appearing pro se, filed a Complaint (Doc. No. 1) alleging deprivations of his constitutional rights against multiple defendants. In accordance with 28 U.S.C. § 636(b)(1), the matter was referred to Magistrate Judge Gary M. Purcell for initial proceedings.

On June 10, 2022, Judge Purcell ordered Plaintiff to either pay the required filing fee or file an application for leave to proceed *in forma pauperis*. See Order to Plaintiff to Cure Deficiency (Doc. No. 6) at 1-2. After Plaintiff failed to respond, Judge Purcell entered a Report and Recommendation (Doc. No. 8), recommending that this matter be dismissed due to Plaintiff's failure to comply with the Court's order. See *id.* at 1-4.

Plaintiff has filed an Objection (Doc. No. 10), requesting additional time "to fix and amend all errors." *Id.* at 1. Plaintiff also has submitted \$10.00 toward payment of his filing fee, two applications for leave to proceed *in forma pauperis*, and several requests to amend his pleading. See Doc. Nos. 7, 9, 11, 12, 13, 34, 35, 36, 37.

Liberally construed, the Court finds that Plaintiff has made a good-faith attempt to comply with the Court's orders regarding the filing fee and to prosecute this matter. The Court therefore will re-refer this action to allow Plaintiff one additional opportunity to make payment or *in forma pauperis* arrangements and to otherwise proceed with accordance with the applicable Federal and Local Civil Rules.

CONCLUSION

Accordingly, the reasoning of the Report and Recommendation (Doc. No. 8) is ADOPTED. The Court declines to dismiss this matter at this time.

This matter is re-referred to Judge Purcell in accordance with the initial order of referral.

IT IS SO ORDERED this 26th day of October, 2022.



CHARLES B. GOODWIN
United States District Judge